

Applicant: Roland Sacks
Application No.: 10/656,645

REMARKS

Claims 1, 2, 4-7, 9-12, 14 and 15 are currently pending in this application. By the foregoing, claims 3 and 8 have been canceled, and claims 1, 2, 4, 6, 9, and 10 have been amended. No new matter has been added by these amendments, and all amendments are supported by the originally filed application.

In the Action, claims 1-9, 12, 14 and 15 were rejected under 35 U.S.C. §103(a) as obvious in view of U.S. Patent No. 371,515 to Nowotny. Applicant respectfully traverses this rejection.

Claim 1 is directed to a cleaning device having a distributing surface to effect a flat distribution of a cleaning or disinfectant fluid. The device includes a spray strip that has a number of outlet openings distributed along the length of the strip. The spray strip is removably fastened to the cleaning device and is formed on a profile strip that is a drawn plastic profile or plastic extrusion. The profile strip has a strip fastener with a U-shaped profile defining a channel which removably connects the profile strip along one edge of the distributing surface. The U-shaped profile has a portion that projects inwardly into the channel that engages a recess in the distributing surface.

In contrast to the present invention, Nowotny discloses a device in which a spray tube (I) with a series of openings is integrally connected to a metal frame (B) which is integrally connected to a tube handle (K). Nowotny fails to suggest or disclose a removably fastened profile strip having a strip fastener with a U-shaped profile as claimed by the Applicant in claim 1. The components disclosed by Nowotny amount to

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a handled cleaning device for receiving "an ordinary scrub or pavement brush" (A). While the brush (A) is detachable from this handled cleaning device, no component disclosed by Nowotny can reasonably be considered to represent a removably fastened profile strip as recited in claim 1. For example, the tube (I) is not U-shaped and is not removably fastened to the metal frame (B). In fact, the handled cleaning device disclosed by Nowotny is a sturdy, one piece unit not requiring a removably fastened profile strip.

In explaining the rejection of the claims, the Examiner states (and the Applicant concedes) that Nowotny discloses a device in which "clamping screws E can be unscrewed for removal of the spray tube [I] (and the rest of frame B) from brush [A]". However, it is clear that such a configuration does not suggest or disclose a removably fastened *profile strip* having a strip fastener with a U-shaped profile that can connect to just one edge of a distributing surface as could be reasonably understood by those of skill in the art. To follow the Examiner's logic would require one to concede that the entire handled cleaning device including the frame (B), the tube (I), and the handle (K) is representative of such a profile strip. Applicant respectfully submits that such an argument is wholly untenable. Simply stated, no "profile strip" is disclosed by Nowotny.

In view of the foregoing, Applicant respectfully submits that claim 1 is patentable over Nowotny. Referring to the above arguments, independent claim 15 is also patentable over Nowotny, because Nowotny fails to suggest or disclose a profile

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strip removably connected to a cleaning device. Claims 2, 4-7, 9-12, and 14 depend from claim 1, and are therefore also patentable over Nowotny. Accordingly, Applicant respectfully requests withdrawal of the Section 103 rejection of claims 1-12, 14 and 15, as applied to the pending claims.

Claims 10 and 11 were rejected under 35 U.S.C. §103 as unpatentable over the combination of Nowotny and U.S. Patent No. 5,419,015 to Garcia. Applicant respectfully traverses this rejection.

As stated above, claims 10 and 11 depend from claim 1 and are patentable over Nowotny for the same reason that claim 1 is patentable over Nowotny. Garcia fails to provide the disclosure deficient in Nowotny. Specifically, Garcia fails to suggest or disclose a removably fastened profile strip such as recited in claim 1. Accordingly, Applicant respectfully requests withdrawal of the Section 103 rejection of claims 10 and 11.

If for any reason the Examiner believes that an interview, either telephonically or in person, would assist in the prosecution of the application, the Examiner is respectfully requested to contact the undersigned attorney to arrange an interview.

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In view of the foregoing amendment and remarks, Applicant respectfully submits that the present application, including claims 1, 2, 4-7, 9-12, 14 and 15, is in condition for allowance, and a notice to that effect is respectfully solicited.

Respectfully submitted,

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